

UNITED STATES DISTRICT COURT

for the

District of

Danville Division

Case No. 4:17 cv 00042

(to be filled in by the Clerk's Office)

Cedrick Euron Draper

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Pizza Hut
and

My Pizza Hut Southeast LLC

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Jury Trial: (check one) ☒ Yes ☐ No

COMPLAINT FOR A CIVIL CASE ALLEGING THAT THE DEFENDANT OWES PLAINTIFF A SUM OF MONEY (28 U.S.C. § 1332; Diversity of Citizenship)

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	<u>Cedrick Euron Draper</u>
Street Address	<u>2229 Yorktown Ave #302</u>
City and County	<u>Lynchburg City</u>
State and Zip Code	<u>VA 24501</u>
Telephone Number	<u>276 806 4958</u>
E-mail Address	

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

corporation defendant
Name May Pizza Hut Southeast LLC c/o James
Job or Title (if known) Bodenstedt (CEO)
Street Address 17890 Blanco Rd Suite 444
City and County SAN ANTONIO
State and Zip Code TEXAS 78232
Telephone Number 210-493-3505
E-mail Address (if known) contact@mycompanies.com

Defendant No. 2

company defendant
Name Pizza Hut c/o David Kingery, Emmanuel
Job or Title (if known) Owner; District Manager Boateng
Street Address 2550 Greensboro Rd
City and County Martinsville City and Henry County
State and Zip Code VA 24112
Telephone Number ~~276 806 4988~~ (CEO) 276 638 4514
E-mail Address (if known) _____

Defendant No. 3

Name _____
Job or Title (if known) _____
Street Address _____
City and County _____
State and Zip Code _____
Telephone Number _____
E-mail Address (if known) _____

Defendant No. 4

Name _____
Job or Title (if known) _____
Street Address _____
City and County _____
State and Zip Code _____
Telephone Number _____
E-mail Address (if known) _____

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Under 28 U.S.C. § 1332, federal courts may hear cases in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000. In that kind of case, called a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff. Explain how these jurisdictional requirements have been met.

A. The Plaintiff(s)

1. If the plaintiff is an individual

The plaintiff, (name) _____, is a citizen of the State of (name) _____.

2. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

B. The Defendant(s)

1. If the defendant is an individual

The defendant, (name) _____, is a citizen of the State of (name) _____. Or is a citizen of (foreign nation) _____.

2. If the defendant is a corporation

The defendant, (name) ^{M04} Pizza Hut Southeast LLC, is incorporated under the laws of the State of (name) Virginia, and has its principal place of business in the State of (name) Texas.
Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

C. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

The defendant, (name) May Pizza Hut Southeast LLC, owes the plaintiff (specify the amount) \$ 7.75 hour rate because (use one or more of the following, as appropriate):

A. On a Promissory Note

On (date) _____, the defendant signed and delivered a note promising to pay the plaintiff on (date) _____ the sum of (specify the amount) \$ _____ with interest at the rate of (specify the amount) _____ percent. The defendant has not paid the amount due and owes (state the amount of unpaid principal and interest) \$ _____. A copy of the note is attached as an exhibit or is summarized below. (Attach the note or summarize what the document says.)

B. On an Account Between the Parties

The defendant owes the plaintiff (specify the amount) \$ _____. This debt arises from an account between the parties, based on (state the basis, such as an agreement between a credit-card company and a credit-card holder)

The plaintiff sent the defendant a statement of the account listing the transactions over a certain period and showing the bills sent, the payments received or credits approved, and the balance due. The defendant owes (specify the amount) \$ _____. Copies of the bills or account statements are attached as exhibits or summarized below. (Attach the statements or summarize what they say.)

C. For Goods Sold and Delivered

The defendant owes the plaintiff *(specify the amount)* \$ _____, for goods sold and delivered by the plaintiff to the defendant from *(date)* _____ to *(date)* _____.

D. For Money Loaned

The defendant owes the plaintiff *(specify the amount)* \$ _____, for money the plaintiff loaned the defendant on *(date)* _____.

E. For Money Paid by Mistake

The defendant owes the plaintiff *(specify the amount)* \$ _____ for money paid by mistake to the defendant on *(date)* _____, when the defendant received the payment from *(specify who paid and describe the circumstances of the payment)*

F. For Money Had and Received

The defendant was paid money *(specify the amount)* \$ _____ on *(date)* _____ by *(identify who paid and describe the circumstances of the payment)*

It is unjust for the defendant not to pay the plaintiff the money received because *(explain the reason, such as that the money was intended to be paid to the plaintiff, or was paid by coercion, duress, or fraud, or was an overpayment or a deposit to be returned)*

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Plaintiff seeks monetary relief for these ^{SP}specific allegations. ^{This} request ^{was} ^{direct} ^{SP}based evidence from the initial civil complaint of employment. The sum of 175,000 extracts a percentage of this stated claim against defendant party. The initial relief or damages ^{CARRIES} ~~carries~~ a percentage within this stated claim.

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: _____

Signature of Plaintiff

Printed Name of Plaintiff


CEDRICK EURON DRAPER

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

1 CEDRICK E DRAPER
2 2229 YORKTOWN AVE #302
3 LYNCHBURG VA 24501

4 UNITED STATES WESTERN DISTRICT COURT
5 DANVILLE DIVISION

6 CEDRICK E DRAPER,) Case No.:
7)
8 Plaintiff,) To: Honorable Jackson L. Kiser
9 vs.) Senior United States District Judge
10 MUY PIZZA HUT SOUTHEAST LLC AND PIZZA)
11 HUT,)
12 Defendant)

13 Paragraph I.

14 Nature of Case

15 Plaintiff's hourly rate was 7.25 an hour the entire time of employment
16 until the last year of employment which increase and decrease from 7.25 an to
17 7.45 an hour back down to 7.25 an hour. This was done without notice. The
18 Virginia Employment Commission has a document where information was released
19 by a Pizza Hut liable employer that Cedrick Euron Draper was making 7.75 and
20 from the time period of December 16, 2014 to December 18, 2016. The plaintiff
21 also physically heard the Human Resource contest to a different amount.
22 Plaintiff seeks difference from stated rate within what was received and what
23 should been received within the hour rate of 7.75 an hour.

24 Stated Claim:

25 Complaint - 1

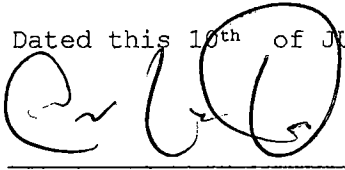
26 Certificate of Service

27 I HEREBY CERTIFY THAT ON JULY 10TH 2017 A TRUE AND CORRECT COPY OF
28 FORGOING INSTRUMENT HAS BEEN FORWARDED BY FIRST CLASS MAIL TO THE COUNSEL OF
RECORD.

SIGNATURE: 

1 The employer falsified income that was supposed to reflect the employee
2 Cedrick Euron Draper's pay rate within the time period. Employee did not
3 receive that hourly pay rate within the time period stated in the exhibited
4 document. For these allegations plaintiff seeks monetary relief that is a
5 percentage of the initial 175,0000 amount within the employment civil
6 complaint.

7
8
9
10
11
12
13 Dated this 10th of JULY, 2017
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28


CEDRICK E DRAPER

Complaint - 2

Certificate of Service

I HEREBY CERTIFY THAT ON JULY 10TH 2017 A TRUE AND CORRECT COPY OF
FORGOING INSTRUMENT HAS BEEN FORWARDED BY FIRST CLASS MAIL TO THE COUNSEL OF
RECORD.

SIGNATURE: 

Paragraph 8F II
Exhibit

Title: Pay rate
Exhibit: Vec Document
(Time span)

COMMONWEALTH OF VIRGINIA
VIRGINIA EMPLOYMENT COMMISSION
DECISION OF APPEALS EXAMINER



Date Referred
or Appealed : 01/22/17
Date Deputy's
Determination: 01/11/17

Local Office : Adjudication Ce
Claimant's SSN : *****-3064
Date of Hearing: 03/07/2017
Decision No. : UI-1702273
Decision Mailed: 03/08/2017

CEDRICK DRAPER
2229 YORKTOWN AVE.
302
LYNCHBURG VA 24501

RECEIVED

MAR 17 2017

COMMISSION APPEALS

CLAIMANT:
CEDRICK DRAPER
2229 YORKTOWN AVE.
302
LYNCHBURG VA 24501

LIABLE EMPLOYER:
MUY PIZZA SOUTHEAST LLC
17890 BLANCO RD
SAN ANTONIO TX 78232-1039

IN THE MATTER OF: CEDRICK DRAPER
VS
MUY PIZZA SOUTHEAST LLC

NOTICE: THIS DECISION BECOMES FINAL 30 DAYS AFTER MAILING UNLESS AN APPEAL IS FILED. THE APPEAL MUST BE IN WRITING AND SHOULD STATE THE REASON FOR THE APPEAL. THE APPEAL SHALL BE FILED (1) VIA INTERNET USING THE FOLLOWING WEB ADDRESS: [HTTP://WWW.VEC.VIRGINIA.GOV](http://www.vec.virginia.gov); (2) IN PERSON AT THE LOCAL OFFICE WHERE THE CLAIM WAS FILED, OR AT ANY OTHER V.E.C. OFFICE; (3) BY MAIL TO THE V.E.C., COMMISSION APPEALS, ROOM 126, P.O. BOX 1358, RICHMOND, VA 23218-1358; OR (4) BY FACSIMILE TRANSMISSION TO COMMISSION APPEALS AT (804) 786-9034, NOT LATER THAN MIDNIGHT OF APRIL 07, 2017.

APPEARANCES: (Telephonic Hearing) Employer Representative; Witness for Employer

STATUTORY PROVISION(S) AND POINT(S) AT ISSUE: Code of Virginia, Section 60.2-618(2) - Was the claimant discharged for misconduct connected with work?

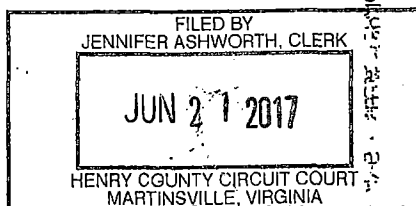
FINDINGS OF FACT: The claimant filed a timely appeal from a Deputy's Determination, disqualifying him for benefits, effective December 25, 2016.

The claimant was employed by May Pizza Southeast, LLC, as a delivery driver from December 16, 2014 to December 18, 2016, at \$7.75 an hour, plus tips.

The claimant was a delivery driver for this employer, but also performed other tasks in the store, including preparing food and cleaning up.

The employer has a policy in place for employees that insubordination would not be tolerated. The claimant was aware of the policy, and signed off on it in his handbook.

On December 18, 2016, the general manager noticed the claimant needed some



Case 4:17-cv-00018-JLK Document 2-3 Filed 03/30/17 Page 2 of 12 Pageid#: 14

CEDRICK E DRAPER
2229 YORKTOWN AVE #302
LYNCHBURG VA 24501

UNITED STATES WESTERN DISTRICT COURT
DANVILLE DIVISION

CEDRICK E DRAPER,)	Case No.: 4:17-cv-00042
)	
Plaintiff,)	To: Honorable Jackson L. Kiser
)	Senior United States District Judge
vs.)	Amended Complaint
)	
MUY PIZZA HUT SOUTHEAST LLC AND)	
)	
PIZZA HUT,)	
)	
Defendant)	

Paragraph I.

Bias of claims detailed:

Plaintiff identifies the area for legal bias observation:

1. Discrimination- This claim is a direct defiance but events have indirect racial remarks that were brought by workers Aaron Louis and Heather the production employee. Offensive remarks in the lines with African American culture time period of segregation was used indirectly toward plaintiff. African American culture terms so far as the defined elements of statements in reference to "home boy" or closure statement to incidents in reference to the plaintiff as "boy" instead of Mr. Draper or my name. The example would reflect a demand in reference to me as "boy" or

Amended Complaint - 1

Certificate of Service

I HEREBY CERTIFY THAT ON JULY 10TH 2017 A TRUE AND CORRECT COPY OF FORGOING INSTRUMENT HAS BEEN FORWARDED BY FIRST CLASS MAIL TO THE COUNSEL OF RECORD.

SIGNATURE: 

1 "do you hear me boy." This was verbally done as duties were
2 needed to be performed and insulting methods for the pursuit to
3 perform job duties concluded the verbal form of acknowledgment
4 toward me as a fellow worker.

5 A. These terms designate discrimination actions that were not
6 direct as words in reference to "coon or nigga" but
7 statements reflected actions to define the discrimination
8 conduct within verbal abuse by correction or instructions.

9 B. Heather's sister was a former employee that did use a
10 direct instance of a racial phrase as well but at my time
11 of employment she was either terminated before or quit
12 within my time frame of employment. Now she used the word
13 "nigga" directly in reference to a smart recovery action
14 performed by me on the job. She recited it in a carrying
15 manner as if I would not hear it but I did. She recited it
16 rather loud with pride within saying it.

17 C. Again out of anger Heather the production worker also used
18 indirect racial remarks and was directed in her moment of
19 demanded insult toward the plaintiff to immediately
20 consult with the General Manager instead of relating
21 issues toward me on the working shift. They never knew it
22 affected me but it did. Laughter within enjoyment of my
23 minor instance of error workers stated, "I can't do it"

24 Amended Complaint - 2

25 Certificate of Service

26 I HEREBY CERTIFY THAT ON JULY 10TH 2017 A TRUE AND CORRECT COPY OF
27 FORGOING INSTRUMENT HAS BEEN FORWARDED BY FIRST CLASS MAIL TO THE COUNSEL OF
28 RECORD.

SIGNATURE: 

1 than conduct themselves as nothing ever was said. On
2 occasions that is what these workers stated that
3 reluctantly instituted some kind of enjoyment in their
4 leading harassing actions and remarks.

5 2. Harassment- This a claim result of verbal abuse subjective to
6 all listed workers of the defendant. The environment became a
7 hostile working environment due to the verbal insulting actions
8 of listed employees of the defendant. This was ongoing on a
9 weekly bias.

10 3. Retaliation/partially adverse- This claim is generated from the
11 statement of Aaron Louis. This event concluded a prior submitted
12 charge submitted by Cedrick E Draper as an intentional taunting
13 method and direct misuse of his authority as a General Manager
14 in the working environment.

15 4. Perjury- This claim is in reference to the testimony of the
16 General Manager Aaron Louis & Human Resource representative of
17 the liable employer within the Virginia Employment Commission
18 audio recording of fact information to determine the defiance of
19 unlawful termination or lawful termination. Both individuals
20 were cross examined at some point of the audio recording and
21 sworn under oath. They were questioned for their incompetence
22 but repeatedly gave false information in laughter of the
23 claimant's objected defined relevance upon appeal officer's

24 Amended Complaint - 3

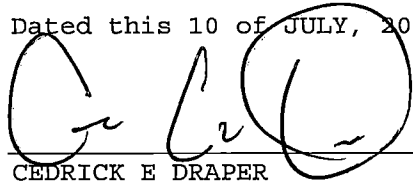
25 Certificate of Service

26 I HEREBY CERTIFY THAT ON JULY 10TH 2017 A TRUE AND CORRECT COPY OF
27 FORGOING INSTRUMENT HAS BEEN FORWARDED BY FIRST CLASS MAIL TO THE COUNSEL OF
28 RECORD.

SIGNATURE: 

1 advisory toward claimant. Recording audio will follow production
2 request to support claims' bias.
3
4

5 Dated this 10 of JULY, 2017

6
7 
8 CEDRICK E DRAPER
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

24 Amended Complaint - 4

25 Certificate of Service

26 I HEREBY CERTIFY THAT ON JULY 10TH 2017 A TRUE AND CORRECT COPY OF
27 FORGOING INSTRUMENT HAS BEEN FORWARDED BY FIRST CLASS MAIL TO THE COUNSEL OF
28 RECORD.

SIGNATURE: 

CEDRICK E DRAPER
2229 YORKTOWN AVE #302
LYNCHBURG VA 24501

UNITED STATES WESTERN DISTRICT COURT
DANVILLE DIVISION

CEDRICK E DRAPER,) Case No.: 4:17-cv-00042
Plaintiff,)
vs.) To: Honorable Jackson L. Kiser
) Senior United States District Judge
) Amended Complaint
MUY PIZZA HUT SOUTHEAST LLC AND)
PIZZA HUT,)
Defendant)

Paragraph II.

Oppression

This is a descriptive defiance within observation of
related theories or bias upon theory to stated claims.

Plaintiff states the reflection of this identifiable
section of listed claims as the continuance of events within the atmosphere
of the Pizza Hut job was defined as also a hostile environment with harassing
employee actions. Within identifying employee workers these results add
direct legal defense within events occurred:

1. Aaron Louis perform a taunting method toward the plaintiff with the
verbal remarks, "transferring is not an option," This was a repeated
jester or defined verbal tactic of mental intentions to make the

Amended Complaint - 1

Certificate of Service

I HEREBY CERTIFY THAT ON JULY 10TH 2017 A TRUE AND CORRECT COPY OF
FORGOING INSTRUMENT HAS BEEN FORWARDED BY FIRST CLASS MAIL TO THE COUNSEL OF
RECORD.

SIGNATURE: 

1 plaintiff mad and induce or be subject to pressure or stress inside the
2 working atmosphere and outside the working atmosphere. Stress does not
3 have a defined limitation upon an atmosphere reflecting the instance to
4 pressure a person nor is it a successful tactic for motivation.

5 Motivation was the term used within the General Manager's verbal
6 warnings but reflected as an insult because in the fact he was
7 initially threatening to fire me from his authority standings of an
8 example instance of an academic testing request for time off.

9 2. The define remarks of "transferring" was a direct line of verbal
10 taunting to make an adult man mad and potentially stress a person out.
11 That the mind of a child would not have realized what he was indicating
12 within his verbal actions he repeatedly did it on several different
13 occasions and connected issues that occurred. It started to show his
14 dislike within carrying one incident to another incident toward me in
15 the working environment. This is a direct reflection back to the
16 statement of the prior charge event within the amended complaint
17 attachment. The sequential evidence of occurrence reflects the bias of
18 factual claims within his state of punishment among the plaintiff after
19 the fact of a prior incident.

20 3. Furthermore the plaintiff spoke with the District Manager to be
21 transferred to another store on the count of prior events between the
22 General Manager Aaron Louis and events with others workers but nothing
23 was done before the termination factors of employment. For that

24 Amended Complaint - 2

25 Certificate of Service

26 I HEREBY CERTIFY THAT ON JULY 10TH 2017 A TRUE AND CORRECT COPY OF
27 FORGOING INSTRUMENT HAS BEEN FORWARDED BY FIRST CLASS MAIL TO THE COUNSEL OF
28 RECORD.

SIGNATURE: 

1 individual request attempt, the General Manager Aaron Louis use that
2 situation to intentionally harass me on the working shift demanding
3 that I stop communicating with the District Manager on issues that
4 occur in the store but it seemed that was only the enjoyment of
5 terminating me. Even at the point of his verbal abuse I answered him
6 still on occasion with respect and publicly I was insulted to the
7 lowest point of the working position.

8 4. Other actions are define within the amended complaint of the direct
9 workers and this information follows:

10 A. The plaintiff is within an atmosphere of harassment workers with
11 no possible way to change his working atmosphere but to quit.
12 Cedrick E Draper could not quit but was placed in a continuance
13 state of harassing events. Cedrick E Draper requested to be
14 transferred but was not successfully granted that option.
15 General Manager Aaron Louis and prior Manager Mark had knowledge
16 of Cedrick E Draper's housing arrangement with the Lynchburg
17 Housing Authority. I provided a note and the General Manager
18 refused to take the note for the appointment verification within
19 the Lynchburg Housing Authority appointment. I attended the
20 appointment early and came back to work right after the
21 appointment. The General Manager knew several reasons why
22 Cedrick E Draper wanted to be transferred but utilized it as a
23 method to further harass the plaintiff.

24 Amended Complaint - 3

25 Certificate of Service

26 I HEREBY CERTIFY THAT ON JULY 10TH 2017 A TRUE AND CORRECT COPY OF
27 FORGOING INSTRUMENT HAS BEEN FORWARDED BY FIRST CLASS MAIL TO THE COUNSEL OF
28 RECORD.

SIGNATURE: 

1 B. Cedrick E Draper put in an application within the Lynchburg
2 Timberlake Pizza Hut store on his own but was unable to make
3 arrangements with the current Pizza Hut store location on the
4 count of the General Manager to fire me, would not let workers
5 swap times to work under agreement, and the schedule time off
6 procedure within the computer was not approved on input. The
7 landed interview was unable to be attended.

8 5. Under this information provided plaintiff supports the instance or
9 actions of the defendants' employees. The listed workers of the
10 defendant are alleged to intentionally invoking, harassing, and
11 subjecting verbal actions that is a resulted stress and pressure
12 defiance within a defined hostile working environment on the bias of
13 harassment.

14 6. The plaintiff did use consideration feedback to halt the verbal
15 insulting tactics of employee workers Heather, Mary, and Leon by
16 directing regular employees to consult their issues to the General
17 Manager rather than coming toward me Cedrick E Draper but it did not
18 work.

19 A. The plaintiff was always at the defense of his employment daily
20 while being verbally insulted by instructions that he already was
21 performing or in conjunction to shift labor punishment tactics
22 upon several different job duties instead of his one required job
23 duty within the working shift.

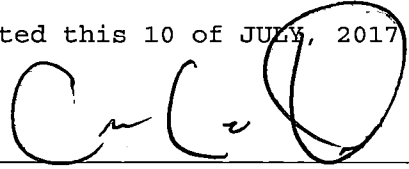
24 Amended Complaint - 4

25 Certificate of Service

26 I HEREBY CERTIFY THAT ON JULY 10TH 2017 A TRUE AND CORRECT COPY OF
27 FORGOING INSTRUMENT HAS BEEN FORWARDED BY FIRST CLASS MAIL TO THE COUNSEL OF
28 RECORD.

SIGNATURE: 

1
2
3
4
5
6 Dated this 10 of JULY, 2017

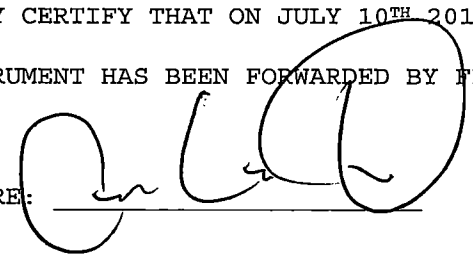
7
8 

9 CEDRICK E DRAPER
10
11
12
13
14
15
16
17
18
19
20
21
22
23

24 Amended Complaint - 5

25 Certificate of Service

26 I HEREBY CERTIFY THAT ON JULY 10TH 2017 A TRUE AND CORRECT COPY OF
27 FORGOING INSTRUMENT HAS BEEN FORWARDED BY FIRST CLASS MAIL TO THE COUNSEL OF
28 RECORD.

SIGNATURE: 

1 CEDRICK E DRAPER
2 2229 YORKTOWN AVE #302
3 LYNCHBURG VA 24501

4 UNITED STATES WESTERN DISTRICT COURT
5 DANVILLE DIVISION

6 CEDRICK E DRAPER,) Case No.: 4:17-cv-00042
7)
8 Plaintiff,) To: Honorable Jackson L. Kiser
9 vs.) Senior United States District Judge
10 MUY PIZZA HUT SOUTHEAST LLC AND PIZZA) Amended Complaint
11 HUT,)
12 Defendant)

13 Paragraph III.

14 Nature of Case

15 Plaintiff Cedrick E Draper was discriminated upon and upon other define
16 circumstances the termination of employment with the defendant company was
17 unlawful termination. Plaintiff's intentions are not an action of vengeance
18 but actions upon justice for the several incidents that lead up to the
19 termination incident. Plaintiff states claim against organization and workers
20 within the organization located in Ridgeway Virginia location. The mention
21 workers are active employees, managers, or subordinate figures within the
22 company at the time of the alleged claim. For the alleged claims upon the
23 organization and affiliated employees, plaintiff seeks relief for the damages
24 or defined loss. Request for punitive observations due to the defined

25 Amended Complaint - 1

26 Certificate of Service

27 I HEREBY CERTIFY THAT ON JULY 10TH 2017 A TRUE AND CORRECT COPY OF
28 FORGOING INSTRUMENT HAS BEEN FORWARDED BY FIRST CLASS MAIL TO THE COUNSEL OF
RECORD.

SIGNATURE: 

1 allegations, details to support theory, and perjury within testimony
2 affiliated with unemployment evidence issued.

3 Bias of claims

4 Plaintiff identifies the area for legal bias observation:

- 5 1. Discrimination
- 6 2. Harassment
- 7 3. Retaliation/partially adverse
- 8 4. Perjury

9 Theory identity within legal bias to support allegations upon the
10 defendant party and employees:

- 11 1. Direct evidence (Oppression)
- 12 2. Disparate treatment
- 13 3. Harassment

14 These listed terms invoke measures brought forth within summary
15 description of the specific incidents and define employees within the
16 organization that imposed direct fault among allegation issued are made by
17 the plaintiff in the event of his termination with the defendant company.

18 Damages

19 Plaintiff suffer many areas of loss within the separation stage of the
20 unlawful termination and seeks a relief amount for the following:

- 21 1. Loss of income

24 Amended Complaint - 2

25 Certificate of Service

26 I HEREBY CERTIFY THAT ON JULY 10TH 2017 A TRUE AND CORRECT COPY OF
27 FORGOING INSTRUMENT HAS BEEN FORWARDED BY FIRST CLASS MAIL TO THE COUNSEL OF
28 RECORD.

SIGNATURE: 

1 2. Loss in financial ability to support or continue to pay for
2 preexisting financial elements obtained while employed with the
3 defendant company.

4 A. Elements either closed or entered a defined excessive
5 dollar amount accumulation by interest to lessen the
6 evaluation within future evaluation among Fair Credit
7 Reporting Act.

8 B. This procedure is done within employment lines of an
9 individual's state of solvency or ability to pay debt so
10 loss from potential employment also defines the loss upon
11 unlawful termination.

12 3. Loss of time within visitation order requirements among family
13 matters.

14 Plaintiff seeks a defined \$175,000 for alleged actions and claims by
15 defendants and defendant's workers.

16 4. Loss of mental confidence, or encouragement toward being employed
17 within the state of daily to weekly harassment.

18 Worker's within the Defendant Party that are direct lines of evidence for the
19 action to sue on the bias of evidence and case information:

20 1. General Manager- Aaron Louis

21 2. Assistant Manager- Mary (Last name will follow discovery
22 request period.

23
24 Amended Complaint - 3

25 Certificate of Service

26 I HEREBY CERTIFY THAT ON JULY 10TH 2017 A TRUE AND CORRECT COPY OF
27 FORGOING INSTRUMENT HAS BEEN FORWARDED BY FIRST CLASS MAIL TO THE COUNSEL OF
28 RECORD.

SIGNATURE: 

1 3. Employee- Leon (Last name will follow or comply within
2 discovery request period.

3 4. Employee- Heather (Last name will follow or comply within
4 discovery request period.

5 Allegations

6 1. Plaintiff alleged that Aaron Louis commented unlawful
7 termination by the ongoing activity of discrimination, adverse
8 retaliation, harassment, and a repetitive communication of
9 abusive language among the workplace and public.

10 A. Aaron Louis directed a statement toward plaintiff
11 regarding a prior formal charge attempt, by plaintiff,
12 to the EEOC office stating, " the charge don't do that
13 again." The plaintiff also takes this as a key
14 reflection on the consecutive issues and treatment of
15 the superior subordinate after the fact of the
16 statement. Plaintiff prior reported harassment within a
17 hostile environment including the General Manager and
18 Assistant Manager.

19 B. Mary, the Assistant Manager, also define a harassment
20 role in a repetitive action of shift manager. She
21 created new rules on a weekly bias for all employees to
22 sign but when a request of the handbook was requested
23 from the plaintiff no explanation was giving to the

24 Amended Complaint - 4

25 Certificate of Service

26 I HEREBY CERTIFY THAT ON JULY 10TH 2017 A TRUE AND CORRECT COPY OF
27 FORGOING INSTRUMENT HAS BEEN FORWARDED BY FIRST CLASS MAIL TO THE COUNSEL OF
28 RECORD.

SIGNATURE: 

1 plaintiff or a copy of the handbook to see the new
2 rules' reflection to our requirements as a employee.
3 This was several requested sign attempts. Plaintiff was
4 directed to leave work and operating shifts early on
5 occasions on the count of harassing actions performed
6 by this identified worker. This manager use a yelling
7 method to insult Cedrick E Draper toward the fellow
8 workers and public. No assistant was properly managed
9 among the working environment within the several
10 incidents defiance only punishment toward Cedrick E
11 Draper among several different duties instead of a team
12 effort of the working atmosphere.

13 C. Leon an employee had a physical incident where out of
14 anger the employee place his hands on Cedrick E Draper
15 and use abusive language. Leon in the incident
16 stated, "fuck you man" toward Cedrick E Draper. Cedrick
17 E Draper reported to the General Manager of the
18 incident. Nothing was done to change that reported
19 attempt so Cedrick E Draper reported the incident to a
20 Henry County Sheriff. This employee is alleged of
21 placing his has upon plaintiff in connection by verbal
22 using abusive language. He has three of events of
23 verbal abuse toward Cedrick E Draper within the

24 Amended Complaint - 5

25 Certificate of Service

26 I HEREBY CERTIFY THAT ON JULY 10TH 2017 A TRUE AND CORRECT COPY OF
27 FORGOING INSTRUMENT HAS BEEN FORWARDED BY FIRST CLASS MAIL TO THE COUNSEL OF
28 RECORD.

SIGNATURE: 

1 workplace. Cedrick E Draper has reported employee to
2 internal complaint department of the company prior to
3 this event.

4 D. Heather an employee that is alleged of harassing
5 actions upon the plaintiff. She has several ongoing
6 verbal abuse comments and jesters that insulted and
7 invoke punishment events of no team effort in the event
8 to prepare food. This was also reported to the General
9 Manager and District Manager but no action was place to
10 settle that public insult within the environment toward
11 Cedrick E Draper. He just was enforced to be the bigger
12 man about the situation which I did.

13 These events and workers in the events produce the form of allegations and
14 further events of perjury are a reflection of the VA Employment Commission
15 interview cross examination. The liable employer's testimony had many areas
16 that were false to the original actions done on the day of the incident that
17 lead to termination on 12/22/2016. Plaintiff accredits that factor and adds
18 ongoing issues that reflected unlawful termination seeking damages for the
19 allegations and bias of the directed theory listing.

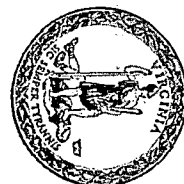
20
21
22
23
24 Amended Complaint - 6

25 Certificate of Service

26 I HEREBY CERTIFY THAT ON JULY 10TH 2017 A TRUE AND CORRECT COPY OF
27 FORGOING INSTRUMENT HAS BEEN FORWARDED BY FIRST CLASS MAIL TO THE COUNSEL OF
28 RECORD.

SIGNATURE: 

COURT ADDRESS:
3160 KINGS MOUNTAIN ROAD SUITE B
MARTINSVILLE, VA 24112
PHONE #: 276-634-4880



OFFICIAL RECEIPT
COUNTY OF HENRY CIRCUIT COURT
CIVIL

DATE: 06/23/2017

TIME: 11:54:03

CASE #: 089CL1700085700

RECEIPT #: 17000011273

TRANSACTION #: 17062300021

CASHIER: ADS

REGISTER #: B088

FILING TYPE: EMP

PAYMENT: FULL PAYMENT

CASE COMMENTS: DRAPER, CEDRICK EURON V. VA EMPLOYMENT COMMISSION

SUIT AMOUNT: \$0.00

ACCOUNT OF: DRAPER, CEDRICK EURON

PAID BY: DRAPER, CEDRICK EURON

CASH: \$0.00

DESCRIPTION 1: IFP GRANTED

2: PLAINTIFF: DRAPER, CEDRICK EURON

3: NO HEARING SCHEDULED

ACCOUNT CODE	DESCRIPTION	PAID
304	CIVIL FILING FEE (LAW & EQUITY)	\$0.00

TENDERED: \$ 0.00
AMOUNT PAID: \$ 0.00

Paragraph 8F.
Exhibit

PAYOR'S COPY

CLERK OF COURT: JENNIFER R. ASHWORTH

RECEIPT COPY 1 OF 2